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June 8, 1956

SEP 22 1956

CONCORD, N.H.

Mr. William H. Messeck, Jr.
State Forester
Forestry and Recreation Commission
Concord, New Hampshire

Dear Mr. Messeck:

You have requested my advice as to whether the sums collected from unorganized towns and unincorporated places in excess of that necessary for distribution by the State Treasurer, may be used by the State Forestry for the purchase of forest fire fighting equipment in said unincorporated places.

It is my opinion that these funds may be used for such purposes provided the forest fire fighting equipment remains in, and becomes the property of, the unincorporated places.

RSA 79:14, as inserted by chapter 287 of the Laws of 1955, provides that the funds referred to shall be used for "forest conservation purposes including the construction and maintenance of forest fire roads and trails and forest diseases and insect control."

The protection of our forests from fires is certainly consistent with the phrase "conservation purposes" inasmuch as conservation means "to protect." While the statute outlines specific items for which the use of these funds is proper, I do not believe the legislative intent was to exclude any other conservation measures.

Very truly yours,

Arthur E. Bean, Jr.
Assistant Attorney General

AEB, Jr/W